

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LEVELL MORGAN,

Plaintiff,

v.

Case No. 23-cv-972-pp

WELLPATH, LLC
and MILWAUKEE COUNTY,

Defendants.

**ORDER STAYING PROCEEDINGS AGAINST DEFENDANT WELLPATH, LLC
AND REQUIRING DEFENDANT MILWAUKEE COUNTY TO FILE STATUS
REPORT**

On November 19, 2024, counsel for defendant Wellpath, LLC filed a Notice of Bankruptcy Filing and Imposition of Automatic Stay. Dkt. No. 41. The notice states that on November 11, 2024, Wellpath filed a Chapter 11 bankruptcy petition in the United States Bankruptcy Court for the Southern District of Texas (Houston Division). Id. When a bankruptcy petition is filed, it operates as a stay on the “commencement or continuation . . . of a judicial . . . action or proceeding against the debtor that was or could have been commenced before the commencement of the case [under Title 11] or to recover a claim against the debtor that arose before the commencement of the case under [Title 11].” 11 U.S.C. §362(a)(1).

The complaint alleges that Wellpath was the provider of medical services for persons incarcerated at the Milwaukee County Jail, where the plaintiff was a pretrial detainee during the events alleged in the complaint. Dkt. No. 1 at ¶1,

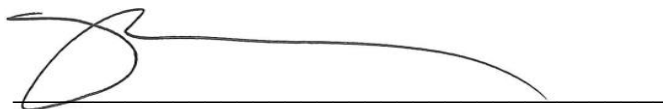
page 3; ¶9, page 4. The complaint alleges that Wellpath approved only very conservative treatment for the plaintiff's severe medical issues and ignored recommendations from his medical providers. Id. at ¶¶4, 12–16, 23. Although this order stays proceedings as to Wellpath, the court will require the remaining defendant, Milwaukee County, to file a status report advising the court of its proposed next steps given this development.

The court **ORDERS** that the proceedings are **STAYED** as to defendant Wellpath, LLC. The plaintiff may move to lift the stay if he believes an exception exists. Any party may move to lift the stay within thirty days following the conclusion of the bankruptcy proceedings or the day on which the automatic stay is lifted.

The court **ORDERS** that defendant Milwaukee County must file a status report by the end of the day on **December 13, 2024**, advising the court of the impact of the bankruptcy filing on the plaintiff's claims. Until then, the case will proceed against Milwaukee County consistent with the scheduling order entered on December 12, 2023, as modified on October 24, 2024. Dkt. No. 37.

Dated in Milwaukee, Wisconsin this 27th day of November, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge